**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 3634**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Hill, Magnuson and Gagnon

Document Path: l:\council\bills\cc\15436zw19.docx

Introduced in the House on January 16, 2019

Currently residing in the House Committee on **Judiciary**

Summary: Voting offenses

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/16/2019 House Introduced and read first time ([House Journal‑page 30](file:///h:\hj\20190116.docx))

1/16/2019 House Referred to Committee on **Judiciary** ([House Journal‑page 30](file:///h:\hj\20190116.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3634&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/16/2019](file:///p:\pprever\2019-20\3634_20190116.docx)

**A** **BILL**

TO AMEND SECTION 7‑25‑100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION AGAINST A VOTER ALLOWING HIS BALLOT TO BE SEEN BY ANOTHER PERSON AND OTHER VOTING OFFENSES, SO AS TO CLARIFY THAT A VOTER MAY DISTRIBUTE OR SHARE AN ELECTRONIC OR DIGITAL IMAGE OF THE VOTER’S OWN MARKED BALLOT VIA SOCIAL MEDIA OR OTHER MEANS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 7‑25‑100 of the 1976 Code is amended to read:

“Section 7‑25‑100. (A) It is unlawful in any election for a voter to:

(1) allow his ballot to be seen by a person, except as provided by law;

(2) take, remove, or attempt to take or remove a ballot from the polling place before the close of the polls;

(3) place a mark upon his ballot by which it may be identified;

(4) take into the election booth a mechanical device to enable him to mark his ballot; or

(5) remain longer than the specified time allowed by law in the booth or compartment after having been notified that his time has expired and requested by a manager to leave the compartment or booth.

(B) It is unlawful for a person to:

(1) interfere with a voter who is inside of the polling place or is marking his ballot;

(2) unduly influence or attempt to influence unduly a voter in the preparation of his ballot;

(3) endeavor to induce a voter to show how he marks or has marked his ballot; or

(4) aid or attempt to aid a voter by means of any mechanical device in marking his ballot.

(C) A voter may distribute or share an electronic or digital image of the voter’s own marked ballot via social media or other means regardless of how the voter acquired the image; provided that a person may not use this subsection as a defense for any crimes or offenses against the election laws of this State.

(D) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned not more than one year.”

SECTION 2. This act takes effect upon approval by the Governor.

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